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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,406	09/24/2004	Olatz Astigarraga Castanares	GAS-76	5691
20311	7590	03/28/2006	EXAMINER ELEY, TIMOTHY V	
LUCAS & MERCANTI, LLP 475 PARK AVENUE SOUTH 15TH FLOOR NEW YORK, NY 10016			ART UNIT 3724	PAPER NUMBER

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/509,406

Applicant(s)

ASTIGARRAGA CASTANARES ET AL.

Examiner

Timothy V. Eley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION***Specification***

1. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are:

- The following phrases in the specification are vague, indefinite, and/or awkwardly and confusingly worded:

- o "(p)revious . . . technique"(page 1, line 8).
- o "the head . . . rotor"(page 1, lines 27 and 28).
Apparently --with-- should be inserted before "respect".
- o "in the way . . . wheel"(page 1, lines 28 and 29).
- o "controlled . . . stroboscope"(page 2, lines 7 and 8).
- o "is made . . . US-A-4566225"(page 2, line 9).
- o "being the light . . . blades"(page 2, lines 9-11).
- o "(t)o obtain . . . tips"(page 2, line 14).
- o "respect . . . operation"(page 2, lines 17 and 18).

Apparently, --with-- should be inserted before "respect".

- o "(t)he abrasion . . . wheel"(page 2, lines 18-21).
- o "and the shaping . . . period"(page 2, lines 30-32).
- o "and taking . . . roller"(page 2, lines 34 and 35).
- o "(e)xposition . . . invention"(page 3, line 5).

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- o "(d)etailed . . . realization"(page 4, line 9).
 - o "rotation up to 180"(page 5, line 8).
 - o "depending . . . rectified"(page 5, lines 14 and 15).
 - o "the carriage . . . head 6"(page 5, line 18). "Carriage" should be --carriages--.
 - o "the carriage . . . incorporated"(page 5, lines 29 and 30). "Carriage" should be --carriages--.
 - o "(t)he carriage . . . unit 16"(page 6, lines 4-6).
 - o "receiving . . . beam 28"(page 6, lines 26-29).
 - o "(t)he PC computer . . . revolution"(page 6, lines 29-31).
- Numeral "16" denotes two different elements; an electronic control unit(page 4, line 29) and a system(page 4, line 32). It should be used to denote only a single element.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- The following phrases in the claims are vague, indefinite, awkwardly and confusingly worded and therefore are not fully understood:

- o "(g)rinding . . . rotor"(claim 1, lines 1 and 2).

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- o "a machine bench . . . speed"(claim 1, lines 3 and 4).
- o "a grinding wheel . . . other"(claim 1, lines 5-7).
- o "the grinding . . . rotors"(claim 1, lines 7 and 8).
- o "the grinding position"(claim 1, line 7). This phrase lacks proper antecedent basis since it was not properly earlier referred to.
- o "a device . . . wheel"(claim 1, lines 9-12).
- o "an electronic . . . device"(claim 1, lines 13-18).
- o "the grinding . . . displacements"(claim 1, lines 14 and 15). This phrase lacks proper antecedent basis since it was not properly earlier referred to.
- o "an optical system . . . rectified"(claim 1, lines 18-20).
- o "connected . . . wheels"(claim 1, lines 21-24).
- o "the mentioned head . . . head"(claim 1, lines 25-28).
- o "calculated . . . rotor"(claim 1, lines 28-31).
- o "the geometric data"(claim 1, line 28). This phrase lacks proper antecedent basis since it was not properly earlier referred to.
- o "the mentioned system . . . radius R"(claim 1, lines 32-37).
- o "the mentioned . . . wheel"(claim 1, lines 38-end).
- o "the two grinding wheels . . . shaping"(claim 2, lines 2-end).
- o "the mentioned optical sensor . . . period"(claim 3, lines 2-end).

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Conclusion

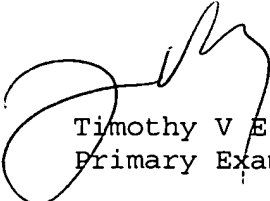
4. The claims are vague, indefinite, and awkwardly and confusingly worded and not fully understood, and therefore have not been further treated on the merits.

5. The cited references disclose machines for grinding rotor blades, and/or optical measurement systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V. Eley whose telephone number is 571-272-4506. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy V Eley
Primary Examiner